



August 28, 2023

Mark Fisher
908 E Civic Center Drive
Santa Ana, CA 92701

(310) 880-6384

Honorable Martin Glenn, Chief Judge
United States Bankruptcy Court
Southern District Court of New York
One Bowling Green
New York, NY 10004-1408

RE: CELSIUS NETWORK LLC, et al., *Debtors*. [Chapter 11 – Case No. 22-10964 (MG)]

Dear Honorable Chief Judge Glenn:

My name is **Mark Fisher** and I reside in Santa Ana, California, however, I have been working remotely in Omaha, Nebraska since November 2022. My older brother passed away on 11/22/22 (*see enclosed death certificate*) and my 80-year-old mother has been battling both leukemia and Stage IV colon cancer during this time. I flew back to Southern California in February 2023 to quickly relocate my residence, but I then returned back to Omaha shortly after the move. In fact, I still have not unpacked yet. This is because I have not been home due to the care I have been providing to my ailing mother, who is currently housed in a rehabilitation center here in Omaha. We are on borrowed time with her cancer treatments.

I currently have assets held by **Celsius Network LLC** and/or its various entities. Unfortunately, I was deceived by a number of fraudulent and misleading statements made by Alex Mashinsky on YouTube and elsewhere. I was unaware that I needed to actually submit a claim to Stretto and/or the court. The last communication I recall receiving in the mail at my previous address instructed me to only submit a claim if I disagreed with the provided "Schedule of Assets and Liabilities" held by Celsius at the time of bankruptcy filing. This email correspondence was received on 11/19/22, which was three days before my brother passed away from a stroke. Apparently, this changed in/or around March or April 2023, but I am still unclear.

I recently logged into the Celsius app after a long hiatus and discovered a proof of claim deadline of 08/02/23. This was news to me as I did not receive any notice or indication from the app of this recent deadline. I also have not been on social media due to my current circumstances and priorities. Needless to say, I am deeply upset and devastated to know that I missed this recent August claim deadline. In all


fairness, the communication from the responsible/overseeing parties has been ambiguous and vague. In my opinion, this feels somewhat intentional and I am sure other affected account holders would agree with me. I certainly would have submitted an online claim had I known about the 08/02/23 deadline. I also currently do not have access to any correspondence sent to my home address in California, nor any past communication or records related to this matter. As you can imagine, my focus has been on taking of my mother's estate and health issues, while simultaneously trying to manage and maintain my mid-level corporate career back in California. My mother was recently in the ICU from a multi-week bout with pneumonia, so as you can imagine, Celsius' bankruptcy proceedings have not been not top-of-mind for me.

I understand there are legal procedures and processes in place, but I am begging you for any leniency, forgiveness, and empathy in terms of the recent 08/02/23 claim deadline. I kindly ask the court to acknowledge and accept my enclosed claim form. I am more than willing to provide any further information necessary to allow my claim to be accepted in current and future proceedings. I would also like to maintain my ability or right to pursue any additional claim(s) against Alex Mashinsky and/or Celsius Network LLC in regards to negligence, misrepresentation, unjust enrichment, false advertising, breach of fiduciary and/or fraud.

As you probably easily determined, I am not an attorney. I am just a lowly retail consumer (and now creditor). I could not take on the expense of hiring legal counsel during this time. As you can imagine, I have been dealing with significant anguish, grievance, and sacrifice over the past nine or so months and it is far from over based on my mother's current health prognosis. For what it is worth, I lost my father before my second birthday, so my mother is all I have left. This financial hit would just be another blow to my well-being and livelihood. Again, any empathy and consideration from you and the court would be greatly appreciated and acknowledged. Needless to say, it has been really rough for me over the past few years. I can only imagine the struggle others in this case are dealing with as well.

Thank you in advance for your time and any consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mark Fisher', with a stylized flourish at the end.

Mark Fisher

cc: Stretto